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Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Report of the Secretary-General**

Summary

The report is submitted pursuant to General Assembly resolution 69/162, in which the Assembly requested the Secretary-General to submit to the Assembly at its seventieth session a report on the implementation of that resolution, including a section outlining the progress in the implementation of paragraph 18 of its resolution 68/151, regarding the revitalization of the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination for the purpose of ensuring the successful implementation of the activities of the International Decade for People of African Descent and enhancing the effectiveness of the comprehensive follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the effective implementation of the Durban Declaration and Programme of Action.

* A/70/150.

** The present document was submitted late owing to the need to consult partners.

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I. Introduction

1. In its resolution 69/162, the General Assembly reiterated that all human beings were born free and equal in dignity and rights and had the potential to contribute constructively to the development and well-being of their societies and that any doctrine of racial superiority was scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempted to determine the existence of separate human races. The Assembly acknowledged the efforts and initiatives undertaken by States to prohibit discrimination and segregation and to engender the full enjoyment of economic, social and cultural rights, as well as civil and political rights. The Assembly emphasized that, despite efforts in that regard, millions of human beings continued to be victims of racism, racial discrimination, xenophobia and related intolerance, including their contemporary forms and manifestations, some of which manifested violent forms.

2. In the same resolution, the General Assembly welcomed the efforts made by civil society in support of the follow-up mechanisms in the implementation of the Durban Declaration and Programme of Action and underlined the primacy of the political will, international cooperation and adequate funding at the national, regional and international levels needed to address all forms and manifestations of racism, racial discrimination, xenophobia and related intolerance for the successful implementation of the Declaration and Programme of Action. The Assembly recognized and affirmed that the global fight against racism, racial discrimination, xenophobia and related intolerance and all their abhorrent and contemporary forms and manifestations was a matter of priority for the international community.

3. In accordance with previous practice and pursuant to resolution 69/162, the present report provides a summary of information received from various stakeholders. In preparing the report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) requested information from Member States and stakeholders on the implementation of the resolution. Submissions were received from the following Member States: Albania, Argentina, Bosnia and Herzegovina, Cuba, Greece, Iran (Islamic Republic of), Jamaica, Kuwait, Kyrgyzstan, Lebanon, Mauritius, Norway, Oman, Paraguay, Saudi Arabia, Trinidad and Tobago and Uruguay. Contributions were also received from national human rights institutions or national equality bodies and a non-governmental organization. The report also provides an update on the activities of OHCHR in this field.

II. Information received from Member States

Albania

4. The Government of Albania has paid special attention to the integration of Roma and Egyptian community issues in the context of various developmental policies such as the policy document on social inclusion, the national strategy for development and integration for 2014-2020 and the action plan for the integration of Roma and Egyptians for 2015-2020. The action plan provides for the implementation and launch of new activities to promote integration and the scaling-up of measures aimed at improving urban integration and access to the judiciary, employment and vocational training, housing and social protection.

5. Albania mentioned the work of the Office of the Commissioner for Protection from Discrimination, a national institution for protection from discrimination, including racial discrimination. Activities undertaken by the Office include a project on schools as community centres, aimed at reducing the number of children dropping out of school and improving the educational situation of the Roma and Egyptian communities, in particular by organizing supplementary classes.

6. With regard to the judiciary, measures have been taken to investigate and prosecute hate speech on the Internet.

Argentina

7. Argentina outlined several initiatives undertaken by the National Institute to Combat Discrimination, Xenophobia and Racism, in particular a youth federal parliament, at which the participants discussed the commitment of young people to eradicating discrimination in Argentina. The Institute created that opportunity for young men and women to participate and share opinions, debate and discuss the development of unifying policies to prevent discrimination and promote an equal society. One of the four issues discussed was racism, for which special training on its basic concepts had previously been given to the participants in order to provide them with more tools to debate bills before them.

8. In October 2013, the Institute published a textbook, *Somos Iguales y Diferentes*, offering additional teaching and conceptual tools to tackle discrimination in schools. Aimed at promoting and strengthening inclusive and intercultural practices in society, it is intended for use by teachers and pupils at various levels.

9. The Institute also offers, on a regular basis in several locations throughout the country, awareness-raising and training sessions, workshops and campaigns about discrimination, racism, xenophobia and inclusive practices.

Bosnia and Herzegovina

10. In Bosnia and Herzegovina, racial discrimination and other forms of discrimination are directly prohibited by the Constitution and are criminalized as felonies under the Criminal Code. In that regard, the Government implements a policy of eliminating racial discrimination both in the general legal framework and through the promotion and recognition of equal status for all in legislative, judicial, administrative and other measures.

11. In 2009, Bosnia and Herzegovina adopted an anti-discrimination law, under which all public authorities have an obligation and a duty to combat, refrain from and remove obstacles that directly or indirectly result in discrimination, as well as a duty to actively create conditions for equal treatment.

12. Bosnia and Herzegovina reiterated its commitment to fully implementing the recommendations contained in the concluding observations of relevant United Nations committees, including those of the Committee on the Elimination of Racial Discrimination, and has in that regard adopted a framework action plan for implementing the recommendations of United Nations committees and the relevant committees and bodies of the Council of Europe.

13. Bosnia and Herzegovina stressed the importance of training and educating authorities on the importance of international conventions, treaties and charters in order to achieve a higher degree of protection of human rights and the harmonization of legislation with international standards.

Cuba

14. Cuba has given priority to the establishment and consolidation of legal measures to ensure the prohibition of all forms of discrimination and to promote equality. In addition to legislative measures, a series of practical measures have been introduced to promote the elimination of many factors that contribute to the persistence of certain racial prejudices derived from historical and sociocultural factors.

15. In addition to the legislative framework aimed at providing guarantees and protection against any act of discrimination, priority has been given to the design and implementation of policies to eradicate disparities in the social and economic status of people of African descent, in order to prevent the continuation or recurrence of any model of marginality in future generations.

16. In the field of education, a civics course has been incorporated into primary and secondary education. Its content addresses the legal protection of citizens facing any form of discrimination, contemporary manifestations of racism and opposition to all racist manifestations or related forms of social exclusion.

17. Another major point of focus has been raising awareness of the issue of racial discrimination and the need for active involvement in dealing with its manifestations, which has been done through, among other things, workshops organized in provinces nationwide.

18. Cuba noted the development of a national programme for the implementation of the International Decade for People of African Descent, which includes awareness-raising and debate on racial discrimination and its social impact. Those actions are primarily aimed at encouraging public debate against racist practices and discrimination based on skin colour, beginning at the local government level and continuing across all political, social, governmental levels, as well as in non-governmental organizations.

Greece

19. In 2014, Greece adopted Act No. 4285/2014, which is an amendment to Act No. 927/1979, to align its national legislation with European Union law (Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law and other provisions). The new law contains specific provisions against hate speech on the grounds of sexual orientation, gender identity and disability. For example, pursuant to article 1 (1) of the law, intentionally, publicly, orally or through the press, the Internet or any other means or manner inciting, provoking, stirring or encouraging actions that may cause discrimination, hatred or violence against a group or persons or a member of such a group defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity or

disability, in a manner that endangers public order or poses a threat to the life, freedom or physical integrity of such persons, shall be punished by imprisonment.

20. Greece highlighted several education initiatives, including one launched in 2011 aimed at achieving public, free and high-quality education for all. The initiative addresses strategic educational objectives, such as the promoting lifelong learning, improving education quality and promoting social cohesion and active citizenship.

Iran (Islamic Republic of)

21. The Islamic Republic of Iran recalled the provisions of the Durban Declaration and Programme of Action, in particular paragraphs 61 of the Declaration and 150 of the Programme of Action, which recognize the increase in Islamophobia in various parts of the world and the emergence of racial and violent movements against Muslim and other communities based on racism and other discriminatory ideas. The Islamic Republic of Iran noted newly adopted Human Rights Council resolution 28/29 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief and expressed concern that the number of incidents of religious intolerance, discrimination and related violence, as well as the negative stereotyping of individuals on the basis of religion or belief, continued to rise around the world.

22. In that connection, the Islamic Republic of Iran requested the Secretary-General to consider the alarming increase of manifestations of Islamophobia covered under freedom of expression and the negative impacts of such trends on the enjoyment by Muslims of their fundamental rights, including the right to freedom of religion.

Jamaica

23. In 2011, the Parliament of Jamaica amended the Constitution to include a new charter of fundamental rights and freedoms, replacing the former chapter III of the Constitution and entitling all persons to the protection of their fundamental rights and freedoms without distinction of any kind. Section 13 (3) of the Constitution outlines the rights to which all persons are entitled, including the right to life, liberty and freedom from discrimination.

24. The Government is actively pursuing the establishment of a national human rights institution for the protection and promotion of human rights. Initial consultations were held with the Commonwealth Secretariat in July 2014. A concept paper is being developed to map the way forward by expanding the role and functions of an existing entity.

Kuwait

25. Kuwait emphasized that the provisions of the Constitution and national legislation were consistent with the principles of respect for human dignity and the individual's right to the full enjoyment of his or her fundamental rights and freedoms in all domains. Article 29 of the Constitution enunciates the principle of equality in rights and duties, and, specifically, states that those rights are enjoyed without distinction as to race, language or religion. In that regard, the Government

has pursued its policy of entrenching the principles of equality and safeguarding fundamental rights and freedoms. To that end, it has taken legal and practical measures aimed at preventing and eliminating racial discrimination in various fields.

26. With regard to human rights education, human rights matters feature in higher education curricula and are being introduced in other educational institutions within the framework of the implementation of the Arab plan for human rights education for the period 2009-2014. A booklet containing guidelines for human rights education has been issued and training courses have been held for teachers and curricula developers in accordance with a plan to schedule four courses per year, in addition to ongoing lectures and symposiums.

27. Kuwait highlighted that the National Assembly had been presented with a bill on the establishment of a human rights office mandated to receive, study and investigate complaints concerning violations of human rights, monitor the implementation of international human rights instruments, issue periodic reports on human rights in Kuwait and advise the competent authorities on the legal procedures that should be followed to deal with violations of human rights.

Kyrgyzstan

28. Kyrgyzstan is a party to several international treaties whose main provisions addressing the issue of discrimination are reflected in the Constitution.

29. Pursuant to article 31 of the Constitution, the propagation of national, ethnic, racial and religious hatred and gender or other social supremacy that calls for discrimination, hostility and violence is prohibited.

30. The equal opportunities policy is also reflected in article 52 of the Constitution, according to which citizens have equal rights and equal opportunities with regard to employment and promotion in the national and local civil service, in accordance with the rules established by law.

31. Pursuant to the law on education, education in Kyrgyzstan is based on the principles proclaimed in international agreements and in the Universal Declaration of Human Rights. In particular, the education system is organized in such a way as to uphold equal rights to education for all citizens and ensure universal access to general secondary education.

32. Pursuant to Presidential Decree No. 24, working groups have been established to develop a new conceptual framework for public policy on religion in Kyrgyzstan for the period 2014-2020. Fostering tolerance and interfaith understanding are among the key objectives.

Lebanon

33. Lebanon reported on measures taken to combat racism, racial discrimination, xenophobia and related intolerance, such as an educational development plan approved under the Council of Ministers resolution dated 8 May 1994 and the pre-academic general educational curricula issued in Ordinance No. 10227/97 of 8 May 1997, which included goals aimed at combating racial discrimination in education. The goals guide the Centre for Educational Research and Development in

reconfiguring the content of pre-academic educational curricula and are focused on basic principles, such as respecting the differences between people, respecting people of different nationalities and treating others with equality and impartiality.

34. Moreover, the Centre, in cooperation with civil society organizations, has conducted projects aimed at enhancing the cultural and social awareness of young people, including an educational programme implemented in coordination with Adyan, a foundation that seeks to build the type of citizenship that embraces religious diversity and accepts others.

35. A human rights division was established in the General Inspectorate of the Internal Security Forces under Decree No. 755 of January 2008. It was given the task of defining the human rights policy within the various units of the General Directorate of the Internal Security Forces and reinforcing the awareness of Internal Security Forces personnel with regard to human rights and related issues.

Mauritius

36. The Constitution of Mauritius prohibits discrimination on the grounds of caste, colour, creed and race. It also provides that no law shall be discriminatory either in itself or in its effect.

37. The National Human Rights Commission is empowered to enquire into any written complaint from any person alleging that his or her human rights have been, are being or are likely to be violated by an act or omission by any person performing a public function conferred by any law or otherwise in the performance of the functions of any public office or any public body. It also has the power to enquire into written complaints from any person of an act or omission by a member of the police force, other than an act or omission that is the subject of an investigation by the Ombudsperson. The Commission may equally review the safeguards provided in laws and policies that protect human rights, review factors or difficulties that inhibit the enjoyment of human rights and exercise such other functions as it may consider conducive to the promotion and protection of human rights.

38. The Equal Opportunities Act prohibits any direct or indirect discrimination on the basis of characteristics such as age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation. The Equal Opportunities Commission, which has been operational since 2012, is mandated to enforce the provisions of the Act.

Norway

39. The Norwegian authorities have taken measures in several sectors to combat racism, racial discrimination, xenophobia and related intolerance.

40. In November 2014, the Prime Minister invited several ministers to a meeting on hate speech. The ministries are currently considering how efforts to combat hate speech should be organized. The Government is gathering new knowledge and recommendations regarding ethnic discrimination. That work will form the basis for a targeted and systematic effort to combat ethnic discrimination, to be launched in 2015. The Government will soon initiate a survey about Norwegians' attitudes towards Jews and other ethnic and religious minorities. In 2012, the Center for

Studies of the Holocaust and Religious Minorities documented the existence of prejudices and scepticism towards Jews, Muslims and Roma in Norway.

41. A white paper on a comprehensive integration policy on diversity and community was submitted to the Storting in October 2012. The integration policy is aimed at ensuring that everyone has equal opportunities, rights and obligations. The white paper addresses the possibilities and challenges inherent in immigration, setting out principles and frameworks for future policy for promoting diversity and community and giving an overall presentation of the Government's comprehensive integration policy.

42. An action plan covering the period 2013-2016 was launched by the Government in August 2013 to facilitate better use of the skills and resources of immigrants in the labour market. Amendments have also been made to the Anti-Discrimination Ombud Act to improve case-management capacity at the Equality and Anti-Discrimination Tribunal.

43. Norway noted that it had four anti-discrimination acts: the Gender Equality Act, the Ethnicity Anti-Discrimination Act, the Anti-Discrimination and Accessibility Act and the Sexual Orientation Anti-Discrimination Act. The Government intends to submit a draft universal equality and non-discrimination act to the Storting.

Oman

44. Oman acknowledged the importance of the International Convention on the Elimination of All Forms of Racial Discrimination and stated that the provisions of the Convention were in conformity with national rules and regulations. Oman recalled that it had ratified the Convention in 2002, by virtue of Ordinance No. 87/2002. With regard to the International Decade for People of African Descent, Oman noted that it was against any discrimination between its citizens and migrants living in the country and did not categorize them because it saw categorization as racial discrimination.

45. Regarding xenophobia, Oman considered international migration to be a major opportunity in the development process for the countries of origin, transit and destination, and expressed the belief that the human rights of migrants should be protected.

Paraguay

46. A national culture plan, approved by the National Secretariat for Culture in December 2014, incorporates inclusion as an essential element of public policy and considers cultural diversity to be a key element of sustainable development.

47. Currently, the National Secretariat for Culture is developing a bill on cultural heritage that addresses key issues regarding the rights enshrined in the Constitution and international human rights treaties. If approved, the law will allow the National Secretariat to take the action necessary for the protection, safeguarding, preservation, rescue, restoration and registration of cultural property throughout the country, as well as the promotion, circulation, study, research and enhancement of such property.

48. Paraguay noted its collaboration to commemorate the International Decade for People of African Descent through the provision of management support to the programmes arranged by relevant entities and of financial support to the twenty-third *Fiesta Kamba*, a traditional celebration, in 2014. Technical support was also provided to the Kamba Kua cultural centre.

49. The creation of a bureau of indigenous languages and cultures has allowed for the development of efforts to support, promote and communicate through indigenous languages and cultures jointly with other public institutions, such as the Paraguayan Indigenous Institute and the Secretariat for Linguistic Policies.

Saudi Arabia

50. Saudi Arabia prohibits all forms of discrimination, including racial discrimination. The Basic Law of Governance prohibits discrimination in its article 7, which states that the Government derives its authority from the Koran and the traditions of the Prophet, which are the ultimate sources of reference for that law and the other laws of the State. Article 8 states that governance in Saudi Arabia is based on justice, *shura* (consultation) and equality according to Islamic sharia. Article 26 states that the State shall protect human rights in accordance with sharia.

51. The laws of Saudi Arabia prohibit the promotion of racial supremacy or ideas of racial hatred, including acts of violence that are based on those thoughts, and provide for their criminalization. The laws prohibit the establishment of organizations and the hosting of activities that advocate racial discrimination or encourage it.

52. Saudi Arabia noted the activities undertaken by the King Abdulaziz Center for National Dialogue aimed at raising awareness of cultural dialogue and human rights and eliminating extremism, hatred and discrimination in all its forms, including racial discrimination. The Center cooperates with government agencies to achieve its goals. An agreement was signed between the Center and the Ministry of Islamic Affairs to train many imams on how to disseminate a culture of tolerance in society through sermons, talks and other activities.

Trinidad and Tobago

53. Trinidad and Tobago referred to section 4 of its Constitution, which outlines the fundamental rights and freedoms and specifically protects against discrimination on the ground of race, origin, religion or sex.

54. Trinidad and Tobago noted existing laws, such as the Equal Opportunity Act of 2000, which established an equal opportunity commission and an equal opportunity tribunal, bodies that act as complaint mechanisms through which persons may seek redress for some kinds of discrimination. Other important initiatives include the establishment of two ministries — the Ministry of the Arts and Multiculturalism and the Ministry of National Diversity and Social Integration — whose responsibilities include matters such as assistance to citizens and civil society engagement.

55. With regard to the celebration of cultural and religious festivals, the Government has taken steps to ensure that all the major religious and cultural festivals are not only celebrated by the particular religious or ethnic group, but also recognized nationally, such that all persons, regardless of their religious or ethnic

background, are invited to participate with the aim of enlightening the public about the significance of each celebration and encouraging tolerance and appreciation.

Uruguay

56. Under Act No. 19,122 of 21 August 2013, the design, promotion and implementation of affirmative action measures in the public and private spheres were declared to be of public interest. It was established that all State entities, the Court of Audit, the Electoral Council, the Administrative Court, departmental governments, autonomous state entities and decentralized services and non-governmental public legal entities were to assign 8 per cent of their jobs to persons of African descent. In addition, article 9 of Decree No. 144/014 of 22 May 2014 established an obligation to inform the National Civil Service Office of the number of persons of African descent employed, including the name of the position, by 31 December of each year.

57. Furthermore, in accordance with Presidential Resolution No. 404/013 of 16 July 2013, a commission was created to monitor inter-institutional actions and agreements to eliminate racism and racial discrimination, which operates under the auspices of the Ministry of Education and Culture.

58. Since 2004, as part of complying with the Durban Declaration and Programme of Action and with international agreements ratified by Uruguay, several offices have been created with the aim of promoting and developing programmes, measures or plans for the complete elimination of racial discrimination. They include an honorary commission against racism, xenophobia and all forms of discrimination, established by Act No. 17,817; a department for women of African descent, created in 2005 as a secretariat for women of African descent, and functioning as a department since 2007, whose purpose is to promote plans, policies and programmes to ensure that people of African descent, and women in particular, are afforded the full exercise of their citizenship; and a unit of the Ministry of Foreign Affairs for ethno-racial treatment, whose main purpose is to introduce ethno-racial issues in the international agenda with the development of a strategic plan to strengthen bonds with all countries of sub-Saharan Africa, Latin America and the Caribbean.

59. The national plan against racism and discrimination was reviewed between 2010 and 2011 with a view to involving the State in a participatory, nationwide process that could cut across public policies through a human rights-based approach, determine discriminatory practices within Uruguayan society and empower social organizations that protect discriminated communities to implement all commitments. An additional goal was to encourage the creation of opportunities to talk and debate, especially with representatives of vulnerable communities, in order to develop guidelines for the completion of the national plan process, offering a framework of action and a road map for the creation of human rights-based, equal and non-discriminatory social policies.

III. Information received from national human rights institutions

Australian Human Rights Commission

60. The Australian Human Rights Commission leads the National Anti-Racism Partnership, which was established under the multicultural policy of the Government of Australia.

61. The partnership consists of a number of federal Government departments, such as the Attorney-General's Department, the Department of Social Services and the Department of the Prime Minister and Cabinet, and bodies representing multicultural and Aboriginal and Torres Strait Islander communities, such as the Australian Multicultural Council, the Federation of Ethnic Communities' Councils of Australia and the National Congress of Australia's First Peoples.

62. The partnership has developed a national anti-racism strategy, which was launched in August 2012. The strategy is focused on communicating the harms of racism, empowering people to take a stand against racism and increasing public understanding about the important role that bystanders can play in responding to racist conduct. It is the first national strategy dedicated to combating racism in Australia and is underpinned by research, consultation and evaluation.

63. A key initiative of the strategy is a public awareness campaign, entitled "Racism. It Stops With Me", which empowers people to stand up to racial discrimination and highlights practical action that can be taken by individuals and organizations.

64. The strategy also identifies priority areas, including education. The Commission has developed curricular resources on combating racism for primary and secondary school pupils in history and health and physical education.

65. The strategy demonstrates how Governments and civil society have worked together in responding to racism in Australia and the importance of education, which is broadly understood, in combating prejudice and discrimination.

National Human Rights Commission of Korea

66. The National Human Rights Commission of Korea was established in 2001 as a national advocacy institution for the protection of human rights. Its mandate comprises developing human rights policies by conducting human rights research, issuing policy recommendations, investigating discrimination and cases of human rights violations, providing access to remedies, promoting human rights education, raising public awareness of human rights, promoting and monitoring the national implementation of international human rights treaties and cooperating with government agencies, civil society organizations, United Nations human rights bodies and national human rights institutions.

67. The Commission noted the need to prevent racially discriminatory expression in television programmes and has monitored several programmes of major broadcasting agencies and found discriminatory expressions against migrants and foreigners. Consequently, it recommended that major broadcasting agencies should refrain from broadcasting discriminatory expressions against migrants and foreigners in television programmes and that the Korea Communications Standards

Commission should carefully review during its deliberations whether television programmes included discriminatory expression against migrants and foreigners.

Slovak National Centre for Human Rights

68. The Slovak National Centre for Human Rights is a national human rights institution and equality body that performs a wide range of tasks in the areas of human rights and fundamental freedoms, including the rights of the child, and the observance of the principle of equal treatment.

69. The Centre pays great attention to the issues of racism, extremism and manifestations of intolerance and regularly includes those topics in its education and training activities. In addition to training activities specifically aimed at combating racism, extremism and anti-Semitism, the Centre incorporates those themes into activities concerning non-discrimination and human rights. The target groups of the educational and training activities of the Centre include children and young people, elementary school pupils, high school and university students, employees of the offices of labour, social affairs and family, members of the police force, offenders on probation, members of Roma communities, field social workers, teachers, representatives of older persons and employees of social services facilities.

70. The Centre delivered 70 human rights training sessions in schools in 2013. It held 54 educational events, 27 at primary schools and 27 at high schools, in 2014. As at September 2014, the Centre had included the topic of extremism in its work.

IV. Information received from a non-governmental organization: International Dalit Solidarity Network

71. According to the International Dalit Solidarity Network, caste-based discrimination is a form of discrimination prohibited by international human rights law, involving massive violations of civil, political, economic, social and cultural rights, which subjects an estimated 260 million people globally to discrimination relating to their work and descent. Although the concept of caste is distinct from that of race, both types of discrimination produce comparable forms of political, economic and social exclusion. The Network recalled the definition in the International Convention on the Elimination of All Forms of Racial Discrimination of racial discrimination as any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

72. The Network underlined that numerous United Nations bodies and experts had repeatedly affirmed that the part of the definition referring to "descent" encompassed caste, a view explicitly set out by the Committee on the Elimination of Racial Discrimination in its general recommendation No. 29 on article 1 (1) of the Convention (Descent). The Network stated that, despite the long-standing constitutional guarantees, legislation and affirmative action programmes in caste-affected countries, caste-based discrimination remained deplorably widespread, deeply rooted and constituted one of the most serious and widespread global human

rights challenges currently. That could be attributed to factors including gaps in implementation, a lack of political will and inadequate legislative and policy measures.

73. The Network recommended that the General Assembly should promote and endorse specific measures to address caste-based discrimination and include caste in any review, framework and action plan on racial discrimination and in its follow-up to and commemoration of the fifteenth anniversary of the Durban Declaration and Programme of Action.

V. Activities of the Office of the United Nations High Commissioner for Human Rights

74. OHCHR leads the work of the United Nations to prevent and combat discrimination and promote equality and universal respect for human rights and fundamental freedoms for all. It advocates and supports reforms, including through the provision of technical advice and assistance to Member States in implementing their international obligations and recommendations adopted by human rights bodies and mechanisms in the field of equality and non-discrimination. OHCHR collaborates with Member States on the adoption of legislation, public policies, programmes, national action plans and other activities. It also supports the efforts of national human rights institutions, specialized equality bodies, civil society and individuals, as well as groups facing discrimination.

75. OHCHR empowers groups and individuals facing discrimination by facilitating their participation in relevant activities, carrying out projects to strengthen their capacity to claim their rights and supporting grass-roots organizations.

76. OHCHR also provides human rights expertise and advice, supports civil society organizations in their advocacy efforts, assists United Nations country teams and engages with international human rights mechanisms to advocate for the adoption of laws that are in compliance with the International Convention on the Elimination of All Forms of Racial Discrimination.

A. Advisory services and technical assistance

77. In Skopje, OHCHR organized a workshop on ensuring effective mechanisms for prevention and protection from discrimination in collaboration with the Office of the United Nations Resident Coordinator and the Ministry of Labour and Social Policy. It enhanced the capacities of various national stakeholders, including the Ministry, the Commission for Protection against Discrimination and civil society organizations, to address the shortcomings of current anti-discrimination legislation in relation to international and regional human rights standards and practices. It was attended by some 40 participants.

78. Subsequently, OHCHR organized a second workshop, in collaboration with the offices of the United Nations Resident Coordinator and the human rights adviser and the Ministry of Labour and Social Policy, this time focusing on relevant capacity-building initiatives.

79. Some 25 participants attended the second workshop, including representatives of the ministries of labour and social policy, foreign affairs, finance and justice, the Commission for Protection against Discrimination, local authorities, the academy for the training and education of judges, the Organization for Security and Cooperation in Europe and several civil society organizations. About 90 per cent of the participants were women.

80. In Belarus, OHCHR organized a seminar, in cooperation with the United Nations Development Programme and the Ministry of Foreign Affairs, on combating incitement to hatred, xenophobia and related intolerance in cyberspace. The event consisted of two thematic sessions, the first on national and international efforts to combat incitement to hatred, xenophobia and related intolerance on the Internet and the second on the role of national and international media in combating hate speech, xenophobia and related intolerance, including on the Internet.

81. Some 50 participants attended the seminar, including representatives of the ministries of foreign affairs, internal affairs and justice, academic institutions, the media and civil society. Other participants included the Special Rapporteur on minority issues, representatives of the Organization for Security and Cooperation in Europe, the Centre for Equal Opportunities and Opposition to Racism of Belgium and the Russian Regional Public Centre of Internet Technologies.

82. In the Russian Federation, OHCHR organized, in collaboration with the Ombudsman of the Sverdlovsk region and the senior human rights adviser in the Russian Federation, a workshop on promoting equality and combating discrimination. It enhanced the capacity of national stakeholders to take practical and effective measures against racism, racial discrimination, xenophobia and related intolerance that are in line with international human rights standards.

83. Participants included ombudsmen from six regions and staff of their offices, members of the Committee on the Elimination of Racial Discrimination, academics, representatives of civil society organizations working on issues relating to migrants, refugees, asylum seekers, persons with disabilities, women and children, and media and communications organizations.

84. With regard to the issue of combating racism in and through sport, OHCHR organized, in cooperation with the Russian Football Union and the Ministry of Sport, an inaugural stakeholder meeting on racism and non-discrimination in football, held in Moscow. International participants and representatives of local and international civil society organizations interacted with partners from the ministries of sport, foreign affairs and the interior, the Russian Football Union and organizations of football enthusiasts, exchanging experiences and knowledge on the issues of racism and non-discrimination in football.

85. OHCHR co-organized and participated in the fourth meeting of the Ibero-American Network of Agencies and Organizations against Discrimination, held in Guatemala, at which the 2015-2016 plan of work of the Network was discussed and approved. One of the priority areas is the implementation of the programme of activities for the implementation of the International Decade for People of African Descent.

B. Research and practical guidance tools

86. OHCHR has finalized guidance material for specialized equality bodies, focal points and independent national human rights institutions working on equality and non-discrimination on how to monitor and promote the implementation of international norms for countering racial discrimination. A workshop for African networks of national human rights institutions and equality bodies on strengthening their capacity for promotion, protection and monitoring activities with regard to combating racism, racial discrimination, xenophobia and related intolerance will be held in Kigali with the participation of all national human rights institutions in Central Africa.

87. OHCHR has launched its publication on national action plans against racial discrimination and is finalizing a tool aimed at increasing the capacity of government offices, including national statistical institutions, to collect data for the promotion of racial equality, respecting privacy and data collection norms.

88. OHCHR continues to manage and keep up-to-date its database on practical means to combat racism, discrimination, xenophobia and related intolerance.

89. OHCHR organizes a fellowship programme for people of African descent, which provides participants with an intensive learning opportunity to deepen their understanding of the United Nations human rights system, instruments and mechanisms and focuses on issues of particular relevance to people of African descent. The three-week programme generally coincides with sessions of the Human Rights Council or treaty-based bodies, which allows for participants to gain a better understanding of the various international human rights mechanisms. The programme is now an integral part of the programme of activities for the implementation of the International Decade for People of African Descent.

C. Support to mechanisms established to follow up on the Durban Declaration and Programme of Action

90. The Working Group of Experts on People of African Descent held its sixteenth session from 30 March to 2 April 2015. In its report of the session (A/HRC/30/56), the Working Group acknowledged the linkages between underdevelopment and racism, racial discrimination, xenophobia and related intolerance faced by people of African descent. It urged States to establish programmes that included the participation of people of African descent aimed at improving their economic and social conditions. It also reiterated its recommendation to devote special attention to the needs of people of African descent, including through the preparation of specific programmes of action for the implementation of the programme of activities for the implementation of the International Decade for People of African Descent.

91. The Working Group undertook an official country visit to Sweden from 1 to 5 December 2014 and to Italy from 1 to 5 June 2015.

92. OHCHR provides support to the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination. During the Ad Hoc Committee's seventh session, held from 13 to 24 July 2015, members of the Committee on the Elimination of Racial Discrimination made presentations on the

assessment of the use of the complaint mechanism under article 14 of the Convention and on the purpose of the general recommendations of the Committee, the process leading to their issuance in the context of the effective implementation of the Convention and any possible shortcomings in that regard.

93. The Ad Hoc Committee also considered the issues of procedural gaps with regard to racism and sport. A panel discussion to provide a comparative perspective on national, regional and subregional mechanisms was also held, and various States volunteered to present their national experiences on issues, challenges and best practices with regard to reporting under the Convention.

94. With regard to the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, Prince El Hassan bin Talal resigned as an expert in a letter to the Secretary-General dated 8 April 2015.

95. The group's fourth meeting was held on 28 April 2015, in Geneva, with the participation of Hanna Suchocka and Edna Maria Santos Roland. The eminent experts discussed the possibility of and need for a number of arrangements in the future regarding the definition of the group's mandate, the appointment of new members and additional resources (see A/HRC/29/54).

96. Edna Maria Santos Roland, in her capacity as independent eminent expert, reported on her involvement in several activities relating to the implementation of the Durban Declaration and Programme of Action at both the national and international levels. The activities included participating in conferences and seminars to promote racial equality, activities marking national days of commemoration and other events for people of African descent and indigenous peoples. She also noted her involvement at the local level in the formulation of anti-discrimination bills.

D. Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination

97. The Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination was established by the Secretary-General in 1973 as a financial mechanism to implement the activities planned in the context of the Decade for Action to Combat Racism and Racial Discrimination (1973-1982). It was also used to fund activities during the second and third decades (1983-1992 and 1994-2003) and to cover expenditure relating to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in 2001, and the Durban Review Conference, in 2009. Given that no further activities were planned under the Trust Fund, no new contributions were received after 2009 and all pending obligations were fulfilled, the Trust Fund was closed in 2014.

VI. Conclusions and recommendations

98. **Notwithstanding some progress in combating racism, racial discrimination, xenophobia and related intolerance, those phenomena have not been eradicated and no country can claim to be free from them.**

99. Stronger political will and urgent measures are needed to reverse the worrisome trends that have developed in recent years of increasingly hostile racist and xenophobic attitudes and violence. Intercultural dialogue, tolerance and respect for diversity are essential to combating racial discrimination and related intolerance.

100. To review progress with regard to the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action and the outcome of the Durban Review Conference, all stakeholders are invited to regularly submit updated input, in accordance with requests for information from OHCHR.

101. Member States, regional organizations, civil society and other stakeholders are encouraged to fully and effectively implement the Durban Declaration and Programme of Action and the outcome document of the Durban Review Conference.

102. Member States are encouraged to fully and effectively implement the obligations arising under the International Convention on the Elimination of All Forms of Racial Discrimination. States that have not yet done so are urged to ratify or accede to the Convention, with a view to universal ratification.

103. Member States are encouraged to invite the Working Group of Experts on People of African Descent and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to carry out country visits.

104. Member States and other stakeholders are invited to participate actively in the deliberations on the mechanisms established to follow up on the Durban Declaration and Programme of Action and implement the recommendations emanating therefrom.

105. Member States that have not yet done so are encouraged to develop and implement national action plans to combat racism, racial discrimination, xenophobia and related intolerance.

106. International and regional organizations are encouraged to intensify collaboration in combating racism, racial discrimination, xenophobia and related intolerance.

107. In the context of the implementation of the programme of activities for the implementation of the International Decade for People of African Descent, all States, intergovernmental and non-governmental organizations, private institutions and individuals, as well as other donors in a position to do so, are encouraged to contribute generously for the implementation of the programme of activities.